REMARKS

Claims 15-26 and 35-38 are pending. Independent claims 15, 22 and 38 are amended.

Amendments to the Specification

The Specification is amended to insert the words "and protocols" after two instances of the words "frequency bands" to clarify the described operation. No new matter is added by this amendment as, in the sentence of the first amendment, a plurality of different protocols (802.11(a), 802.11(b) and 802.11(g)) are listed. The listing of these protocols is consistent with the amendment. A reading of the specification makes clear that such operation over different protocols was intended and contemplated at the time of the invention.

Claim Rejections under 35 USC §103

Claims 15, 16, 18-23, 25, 26, and 35-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Monin et al. (hereinafter "Monin", US 2002/0197984) in view of Agrawal et al. (hereinafter "Agrawal", US 2003/0108005).

Regarding claim 15, the official action states that Monin teaches or suggests a Wireless Local Area Network (WLAN) device (fig. 5 and fig. 6, control unit 28) that includes a first baseband processor interface. The actions states that the baseband module 1 implicitly teaches a baseband processor interface because the baseband processor must be able to connect, interact or communicate with many other components. For example, the action states, the baseband module 1 is connected and communicated with radio module 1. The action also cites Monin for teaching a first radio for receiving the digital data and for transmitting RF signals in a first frequency band and for receiving RF signals in the first frequency band and for producing corresponding digital data to the first baseband processor interface and a second baseband processor interface for receiving, processing and generating digital data and a second radio for receiving the digital data and for transmitting RF signals in a second frequency band and for receiving RF signals in the second frequency band and for producing corresponding digital data to the second baseband processor interface (fig. 5 and fig. 6, radio module 2 is connected to baseband module 2). The action further notes that Monin specifically teaches or suggests the WLAN as described

operating at 2.4 GHz frequency, but can also be implemented using other WLAN technologies including at different frequency bands, etc. Hence, this teaching reads on using either first frequency or second frequency.

The action further cites Agrawal for teaching or suggesting frequency hop collision avoidance in a multi-channel Bluetooth-enabled packet transmission system.

The independent are amended to include elements similar to the following elements of claim 15:

first and second baseband processor interfaces operably coupled to first and second radios that communicate according to first and second communication protocols;

wherein the WLAN device scans a plurality of channels in the first and second frequency bands transmitted according the to the first and second communication protocols to select a channel for a subsequent communication.

The amended claims require, therefore, a WLAN device (either a handset or an access point) that includes a plurality of different protocol radios and a method, logic or circuitry for scanning channels in the frequency bands associated with the different protocol radios to select a channel for a subsequent communication. Such operations may even be performed after a communication has begun. As is stated in the last sentence of the first paragraph of page 25, "*The best WAP may be in a band different from the band over which communication was initiated.*"

With these amendments to the claims, the applicants believe that the grounds for rejection are moot. Because the cited references do not address a WLAN device using multiple protocol radios to support communications, even with one device, and further that scanning to select a channel from the different frequency bands and associated protocols is not taught, the applicants

believe that all of the independent and their associated dependent claims are allowable over the cited art.

CONCLUSION

For the above reasons, the applicant believes the Application in condition for allowance and therefore requests reconsideration of the pending claims. Should the Examiner have any further comments or suggestions, please contact James Harrison at (214) 902-8100.

Respectfully submitted,
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